

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

ANYWHERECOMMERCE, INC., and
BBPOS LIMITED,

Plaintiffs,

V.

INGENICO INC., INGENICO CORP.,
INGENICO GROUP SA, and INGENICO
VENTURES SAS,

Defendants,

INGENICO INC.,

Counterclaim Plaintiff,

V.

ANYWHERECOMMERCE, INC., and
BBPOS LIMITED,

Counterclaim Defendants.

Civil Action No. 1:19-cv-11457-IT

JUDGMENT

July 14, 2023

TALWANI, D.J.

AnywhereCommerce, Inc. (“AnywhereCommerce”) and BBPOS Limited (“BBPOS”) brought this action against Ingenico Group SA, Ingenico Inc., Ingenico Corp., and Ingenico Ventures SAS. Ingenico Inc. counterclaimed against AnywhereCommerce and BBPOS.

Judgment is hereby entered as follows.

AnywhereCommerce and BBPOS's claims against Ingenico Ventures SAS are dismissed without prejudice pursuant to the Joint Stipulation of Dismissal [Doc. No. 64].

Pursuant to the court's Electronic Order [Doc. No. 225] and Memorandum and Order [Doc. No. 228], summary judgment is entered in favor of Ingenico Group SA, Ingenico Inc., and Ingenico Corp. and against AnywhereCommerce as to all Counts brought by AnywhereCommerce in the Amended Complaint [Doc. No. 67], except Count IX which is dismissed with prejudice.

Pursuant to the court's Electronic Order [Doc. No. 225] and Memorandum and Order [Doc. No. 228], summary judgment is entered in favor of Ingenico Group SA, Ingenico Inc., and Ingenico Corp. and against BBPOS as to Counts III, Count IV, and Count VIII of the Amended Complaint [Doc. No. 67], and Count VI and Count IX are dismissed with prejudice. Pursuant to the Stipulation of Dismissal with Prejudice as to Counts V and VII of Plaintiff's First Amended Complaint [Doc. No. 331], Count V and Count VII are dismissed with prejudice. Following a bench trial on the sole remaining count in the Amended Complaint [Doc. No. 67] and pursuant to the court's Findings of Fact and Conclusions of Law [Doc. No. 369], judgment is entered in favor of Ingenico Group SA, Ingenico Inc., and Ingenico Corp. and against BBPOS as to Count II.

Pursuant to the Stipulation of Dismissal as to Count VIII of Ingenico Inc.'s Second Amended Counterclaims [Doc. No. 178], Ingenico Inc.'s Count VIII as to AnywhereCommerce and BBPOS is hereby dismissed without prejudice.

Pursuant to the court's Electronic Order [Doc. No. 225] and Memorandum and Order [Doc. No. 228], summary judgment is entered in favor of AnywhereCommerce and against Ingenico Inc. as to all remaining counts against AnywhereCommerce.

Pursuant to the court's Electronic Order [Doc. No. 225] and Memorandum and Order [Doc. No. 228], summary judgment is entered in favor of BBPOS and against Ingenico Inc. as to

Counts II, III, and VII and the claims arising under Count I regarding a breach of the exclusivity provisions, and for indemnification of the IOEngine matter. Following a bench trial on the remaining portions of Count I against BBPOS and pursuant to the court's Findings of Fact and Conclusions of Law [Doc. No. 369], judgment is entered in favor of Ingenico Inc. and against BBPOS in the amount of \$164,444.97, with post-judgment interest as provided by law, see 28 U.S.C. § 1961.

This case is CLOSED.

IT IS SO ORDERED.

July 14, 2023

/s/ Indira Talwani
United States District Judge